



DPCC Staff Contact: Srinu Sonti (4-0507)

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Presidential Appointment Efficiency and Streamlining Act – S. 679

Resolution to Provide for Expedited Consideration of Certain Nominations Subject to Advice and Consent – S. RES. 116

LEGISLATIVE BULLETIN

Central Points

- The Presidential Appointment Efficiency and Streamlining Act eliminates the need for the Senate to vote on roughly 200 executive nominations and 3,000 noncontroversial Officer Corps positions. Senate Resolution S. Res. 116 establishes a streamlined confirmation process for 250 part-time positions.
- These reforms will ensure that qualified individuals can get to work in a timely manner, protecting our national security and protecting our tax dollars from waste and abuse.
- These bipartisan reforms free the Senate to focus on job creation and deficit reduction.

Legislative Summary & Background

At the beginning of the 112th Congress, leaders of both parties agreed to streamline the process for confirming executive branch nominees, and the need could not be more necessary. A Brookings Institute report found that after 18 months, 25 percent of policy making positions were still vacant. The *Presidential Appointment Efficiency and Streamlining Act* eliminates the need for the Senate to vote on roughly 200 executive nominations and 3,000 noncontroversial Officer Corps positions. The bill also establishes a working group which will be charged with studying ways to simplify the paperwork required by nominees and review the impact of background check requirements in the appointment process. [Brookings Institution, [12/14/10](#)]

In the 110th Congress, executive nominees waited a median of 92 days for approval. While nearly all of these nominees were noncontroversial and confirmed by voice vote, the confirmation process is time consuming both in Committee and on the Senate floor. Even with these reforms, the Senate will *still*

have confirmation control over more nominations than it had as recently as the Clinton administration. [CRS, [11/19/10](#); National Journal, 3/30/11]

The Act was offered in conjunction with a resolution which provides for a more streamlined process by which approximately 250 part-time positions are considered by the Senate. The resolution creates two additional sections on the Senate's executive calendar, "Privileged Nomination--Information Received" and "Privileged Nomination--Information Requested." Any senator could request a nominee listed in either section be given full committee vetting. However if no senator within 10 session days of a nominee being in the "Privileged Nomination--Information Received" section, the nominee would be treated as if they had committee approval and could be confirmed by the whole Senate. Both the bill and resolution are co-sponsored by the Majority and Minority leaders, along with the Chairman and Ranking Member of the Senate Rules Committee and the Chairman and Ranking Member of the Senate Homeland Security and Governmental Affairs Committee. [S. Res. 116]

A major point of criticism from opponents of these reforms is that they inappropriately reduce the Senate's role in the confirmation process. The fact is these measures only effect less than 3,500 of the over 20,000 executive branch nominees the Senate confirms each Congress. [Resume of Congressional Activity, [LINK](#)]

Legislative Summary

The following positions are exempted from Senate confirmation by S. 679:

Department of Agriculture

Assistant Secretary of Agriculture for Congressional Relations
Assistant Secretary for Administration
Rural Utilities Service Administrator
Chief Financial Officer
Directors (7), Commodity Credit Corporation

Department of Commerce

Assistant Secretary for Legislative Affairs
Chief Scientist, National Oceanic and Atmospheric Administration
Officer Corps, NOAA (321)

Corporation for National and Community Service

Managing Directors (2)

Department of Defense

Assistant Secretary of Defense (Networks and Information Integration)
Assistant Secretary of Defense (Public Affairs)
Assistant Secretary of Defense (Legislative Affairs)
Assistant Secretary of the Air Force (Comptroller)
Assistant Secretary of the Army (Comptroller)

Assistant Secretary of the Navy (Comptroller)
Director of the Selective Service System
Members (6), National Security Education Board

Council of Economic Advisers
Members (2)

Department of Education
Chief Financial Officer
Assistant Secretary for Legislation and Congressional Affairs
Assistant Secretary for Management
Commissioner – Rehabilitation Services Administration
Commissioner – Education Statistics
Members (15), National Board of Education Sciences

Department of Energy
Assistant Secretary for Congressional and Intergovernmental Affairs
Chief Financial Officer

Environmental Protection Agency
Chief Financial Officer

Department of Health and Human Services
Assistant Secretary for Public Affairs
Assistant Secretary for Legislation
Commissioner, Administration for Children, Youth and Families
Commissioner, Administration for Native Americans
Public Health Services Corps (2536)

Department of Homeland Security
Assistant Administrator, Grants, FEMA
Administrator, U.S. Fire Administration
Director, Office of Counternarcotics Enforcement
Chief Medical Officer
Chief Financial Officer

Department of Housing and Urban Development
Assistant Secretary for Congressional and Intergovernmental Relations
Assistant Secretary for Public Affairs
Chief Financial Officer

US Agency for International Development
Assistant Administrator for Legislative and Public Affairs
Assistant Administrator for Management

Department of Justice

Assistant Attorney General – Legislative Affairs
Director, Bureau of Justice Statistics
Director, Bureau of Justice Assistance
Director, National Institute of Justice
Administrator, Office of Juvenile Justice and Delinquency Prevention
Director, Office for Victims of Crime

Department of Labor

Assistant Secretary for Administration and Management
Assistant Secretary for Congressional Affairs
Assistant Secretary for Public Affairs
Director, Women's Bureau
Chief Financial Officer

Office of Management and Budget

Controller, Office of Federal Financial Management

NASA

Chief Financial Officer

Office of National Drug Control Policy

Deputy Director
Deputy Director, Demand Reduction
Deputy Director, State and Local Affairs
Deputy Director, Supply Reduction

Department of State

Assistant Secretary for Legislative and Intergovernmental Affairs
Assistant Secretary for Public Affairs
Assistant Secretary for Administration
Chief Financial Officer

Department of Transportation

Assistant Secretary for Budget and Programs
Assistant Secretary for Governmental Affairs
Deputy Administrator, Federal Aviation Administration
Administrator, St. Lawrence Seaway Development Corporation

Department of Treasury

Assistant Secretary for Legislative Affairs
Assistant Secretary for Public Affairs
Assistant Secretary for Management
Treasurer of the United States
Director of the Mint

Administrator, Community Development Financial Institution Fund

Department of Veterans Affairs

Assistant Secretary for Management

Assistant Secretary for Human Resources and Administration

Assistant Secretary for Public and Intergovernmental Affairs

Assistant Secretary for Congressional and Legislative Affairs

Assistant Secretary for Operations, Security and Preparedness

Appalachian Regional Commission

Alternate Federal Co-Chairman

African Development Bank

Governor

Alternate Governor

African Development Fund

Governor

Alternate Governor

Alaska Natural Gas Transportation Project

Federal Coordinator

Asian Development Bank

Governor

Alternate Governor

Institute of American Indian and Alaska Native Culture and Arts Development

Members (13), Board of Trustees

International Monetary Fund and International Bank for Reconstruction and Development

Governor

Alternate Governor

Mississippi River Commission

Commissioners (7)

National Council on Disability

Members (15)

National Institute for Literacy Advisory Board

Members (10)

National Museum and Library Services Board

Members (20)

National Science Board
Members (24)

Office of Navajo and Hopi Relocation
Commissioner

The following positions will be considered under expedited procedures under S. Res. 116.

The Chairman and the Members of the Advisory Board for Cuba Broadcasting (9 Members including Chairman)

The Chairman and the Members of the Corporation for National and Community Service (15 Members including Chairman)

The Chairman and the Members of the Federal Retirement Thrift Investment Boards (5 Members including Chairman)

The Members of the Internal Revenue Service Oversight Board (7 Members)

The Members of the Board of the Millennium Challenge Corporation (4 Members)

The Members of the National Council on the Arts (18 Members)

The Members of the National Council for the Humanities (26 Members)

The Members of the Board of Directors of the Overseas Private Investment Corporation (8 Members)

The Members of the Peace Corps National Advisory Council (15 Members)

The Chairman, Vice Chairman, and the Members of the Board of Directors for the United States Institute of Peace (12 Members including Chairman and Vice Chairman)

The Members of the Board of Directors of the Federal Agricultural Mortgage Corporation (5 Members)

The Members of the Board of Directors of the National Consumer Cooperative Bank (3 Members)

The Members of the Board of Directors of the National Institute of Building Sciences (15 to 21 Members)

The Members of the Board of Directors of the Securities Investor Protection Corporation (5 Members)

The Members of the Board of Directors of the Metropolitan Washington Airport Authority (3 Members)

The Members of the Saint Lawrence Seaway Development Corporation Advisory Board (5 Members)

The Members of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation (9 Members)

The Members the Board of Trustees of the Federal Hospital Insurance Trust Fund (2 Members)

The Members of the Board of Trustees of the Federal Old Age and Survivors Trust Fund and Disability Insurance Trust Fund (2 Members)

The Members of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund (2 Members)

The Members of the Social Security Advisory Board (3 Members)

The Members of the Board of Directors of the African Development Foundation (7 Members)

The Members of the Board of Directors of the Inter American Foundation (9 Members)

The Commissioners of the United States Advisory Commission on Public Diplomacy (7 Members)

The Members of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation (8 Members)

The Members of the Board of Trustees of the Harry Truman Scholarship Foundation (8 Members)

The Members of the Board of Trustees of the James Madison Memorial Fellowship Foundation (6 Members)

The Members of the Board of Directors of the Legal Services Corporation (11 Members)

The Members of the Foreign Claims Settlement Commission (2 Members)

The Members of the Board of Directors of the State Justice Institute (11 Members)